

Message Text

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ACTION ARA-14

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C O N F I D E N T I A L MONTEVIDEO 0786

E.O. 11652: GDS
TAGS: SHUM, PGOV, UY
SUBJECT: RELEASE OF IAHRC REPORT ON URUGUAY

REF: STATE 59135

1. DURING MARCH 8 DISCUSSION WITH FONMIN EXTERNAL AFFAIRS
DIRECTOR ALVARO ALVAREZ, CHARGE CASUALLY INQUIRED ABOUT
STATUS OF IAHRC RERPORT ON URUGUAY. ALVAREZ REPLIED THAT
HE UNDERSTOOD REPORT WAS BEING DISTRIBUTED TO ALL OAS
MEMBER STATES. CHARGE ASKED IF THIS PRESENTED ANY PROBLEM
TO THE GOU. ALVAREZ EXPRESSED NO PARTICULAR CONCERN,
SAYING GOU APPRECIATED THAT DISTRIBUTION TO OTHER MEMBERS
WAS NECESSARY IN ORDER TO PREPARE FOR VII OASGA.
NOTING THAT DISTRIBUTION TO ALL MEMBERS COULD BRING
PRESS LEAK OF SUBSTANCE OF REPORT, CHARGE ASKED IF GOU
WAS CONCERNED ON THIS SCORE. ALVAREZ AGREED THAT SUB-
STANCE MIGHT NOW BECOME PUBLIC BUT DID NOT SEEM PARTICULARLY
DISTURBED AT THE PROSPECT. HE SAID GOU IN ITS EX-
TENSIVE RESPONSE TO THE IAHRC HAD MADE CLEAR ITS DIS-
AGREEMENT WITH MUCH OF THE REPORT. WHEN CHARGE OBSERVED
THAT GOU HAD, IN FACT, GIVEN ITS RESPONSE TO MANY OAS
MEMBERS WELL IN ADVANCE OF THEIR RECEIVING REPORT
ITSELF, ALVAREZ SOMEWHAT DEFENSIVELY ACKNOWLEDGED THIS
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BUT CHARACTERIZED GOU'S PRIOR DISTRIBUTION OF ITS
RESPONSE AS "SELECTIVE" AND ON A CONFIDENTIAL BASIS TO
MEMBER STATES.

2. IF ALVAREZ' CORRECTLY REFLECTS GENERAL LACK OF GOU
CONCERN ABOUT DISTRIBUTION OF IAHRC REPORT, AND IF
THIS ATTITUDE CONTINUES TO PREVAIL WITHIN GOU DURING

WEEKS AHEAD, RELEASE OF THE REPORT WOULD NOT SEEM TO HAVE NEGATIVE IMPLICATIONS FOR THE ABA VISIT (REFTEL). HOWEVER, SINCE THIS FAIRLY RELAXED ATTITUDE COULD CHANGE, PARTICULARLY IF THE REPORT BECOMES PUBLIC, FOLLOWING IS OUR ASSESSMENT OF THE FACTORS THAT WOULD BE IN PLAY SHOULD THIS HAPPEN.

3. THE COMMENTS OF ALVAREZ PARALLEL EMBASSY'S OWN REACTION TO RELEASE OF IAHRIC REPORT. ITS SUBSTANCE HAS LONG SINCE BEEN KNOWN THROUGHOUT GOU AND, TO SOME EXTENT, EVEN TO PUBLIC AT LARGE AS RESULT OF FREQUENT OFFICIALLY-INSPIRED POLEMICS IN PRESS AND OTHER MEDIA. BY NOW THE REPORT MUST BE OLD STUFF, EVEN IF STILL GALLING, AND AN OFFICIAL URUGUAYAN RESPONSE HAS LONG SINCE BEEN CIRCULATED. FORTUNATELY--IN A SENSE--GOU REACTION AND ESPECIALLY THAT OF ALVAREZ HAS BEEN PERSONALIZED, WITH "MERCENARY" IAHRIC CONSULTANT ROBERT GOLDMANN, WHO AUTHORED REPORT, HAVING COME TO BE PRINCIPAL TARGET OF GOU ATTACKS, RATHER THAN THE REPORT ITSELF. (A RECENT EXAMPLE OF THIS WAS REPORTED IN MVD 763.) THUS, AS LONG AS ABA AVOID ASSOCIATION WITH GOLDMANN AND HIS REPORT, ABA INTEREST IN URUGUAYAN HUMAN RIGHTS SITUATION AND ITS VISIT HERE STAND CONTINUING GOOD CHANCE OF BEING VIEWED BY GOU AS A WHOLE ON ITS OWN MERITS.

4. WE OF COURSE STILL HAVE NOT SEEN IAHRIC REPORT AND
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ARE UNAWARE OF EXTENT TO WHICH IT ADDRESSES PRINCIPAL ABA CONCERNS--SUBJUGATION OF JUDICIAL PROCESS TO EXECUTIVE FIAT AND PERSECUTION OF INDIVIDUAL LAWYERS FOR LEGITIMATE ACTIONS TAKEN IN CONSEQUENCE OF THEIR PROFESSIONAL RESPONSIBILITIES. WHATEVER THE CASE, WE SUGGEST THAT ABA VISITORS THOROUGHLY FAMILIARIZE THEMSELVES WITH THE REPORT AND BE PREPARED TO COMMENT, IN CONVERSATIONS WITH GOU OFFICIALS, BUT ONLY IF ASKED, ON THE SERIOUSNESS OF IAHRIC CHARGES (IF ANY) IN FIELDS OF PARTICULAR ABA INTEREST, WITHOUT NECESSARILY ENDORSING REPORT OR ITS CONCLUSIONS. ABA TEAM WILL, OF COURSE, WISH TO FORM OWN JUDGMENTS ON BASIS OF ITS INDEPENDENT FACT-FINDING. GOU APPEARS TO ACCEPT THIS AS GIVEN, AND IT AUGURS WELL FOR A SUCCESSFUL VISIT.

5. THERE IS OF COURSE A WILD CARD IN THE DECK, AND THAT IS THE CONTINUING INFLUENCE WITHIN THE GOU OF ELEMENTS--AMONG THEM ALVARO ALVAREZ--COMMITTED TO AN ANTAGONISTIC POSTURE ON THE HUMAN RIGHTS ISSUE. THERE IS A CONTINUING DANGER THAT THEY MAY AGAIN SEIZE UPON THE IAHRIC REPORT TO CAST A PALL OF MISREPRESENTATIONS AND ADVERSE PROPAGANDA OVER THE ABA VISIT. WHETHER THEY CHOOSE,

OR ARE ABLE, TO DO SO WILL BE TEST OF THE
ABILITY OF ARMY CINC GENERAL ALVAREZ TO STEER THE GOU
TOWARDS MORE CONSTRUCTIVE POLICIES.
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